UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,776	09/04/2003	Fabio Giannetti	B-5184 621133-2	8984

7590   11/01/2007

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
PATEL, MANGLESH M

ART UNIT	PAPER NUMBER
2178	

MAIL DATE	DELIVERY MODE
11/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/656,776	GIANNETTI, FABIO
	Examiner	Art Unit
	Manglesh M. Patel	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *8/1/2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14 and 18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14 & 18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This **Non-Final** action is responsive to the Appeal Brief Filed on 8/1/2007 (Note: Prosecution has been reopened in light of the newly cited reference).

2.   Claims 1-14 & 18 are pending. Claims 1, 11, 14 and 18 are independent claims.

Withdrawn Rejections

3.   The 35 U.S.C. 103(a) rejections of claims 1-6, 8-14 and 18 with cited references of Davia (U.S. Pub 2002/0156815) in view of Duhig (NPL—Separating Links From Content Using XML, Xlink and Xpointer) have been withdrawn in light of the newly cited art.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Regarding Independent claim 18, which describes, " A System for authoring content...", the claim fails to include a hardware element such as a CPU in the system or a computer readable medium for a software system. The claim is not statutory since the system itself only describes a series of steps with no device for implementation or storage.

Claim Rejections – 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-14 & 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hyatt (NPL, XBL – XML Binding language, 2000, W3C, pgs 1-35) in view of DeRose (NPL, XML Pointer Language: Xpointer, 2001, W3C, pgs 1-25) Further in view of Didier (NPL—Didier's Lab report, 2000, xml.org, pgs 1-5).

Regarding Independent claims 1, 11, 14 & 18, A method, data structure & system of authoring content to be served

by a server comprising:

Authoring on a computing device a layout document which defines at least one area of a document which

includes the content to be published;

Authoring on a computing device at least one binding element which defines the identity and location of at

least a portion of content and at least one style description which defines a style to be applied to a selected portion of

content;

In which the step of authoring the layout document includes allocating to the at least one defined area a

director to at least one binding element such that when processed the published document includes in the defined area

the content as directed by the binding element in the style as directed by the binding element

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with

style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding

includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple

definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of

content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of

internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a

markup documents content and location information, thus identifying the location of a portion of content. Furthermore

it defines what areas of a document to publish content because it references the content with its position/location

information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code

shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href,

Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located

externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier

however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout

information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the

binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and

Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code

necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 2, with dependency of claim 2, the binding element does not itself contain any style or content, only containing directors to style or content.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 3, with dependency of claim 1, the content is provided as an electronic file which contains a portion of text, or image, or a combination of text and image content.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a

markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 4, with dependency of claim 3, the file comprises a section of data written for example in a mark-up language such as XML.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and

Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 5, with dependency of claim 1, the style description is provided in the form of an electronic file written for example in a mark-up language such as XML.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 6, with dependency of claim 1, the director to a binding element provided in the layout document is defined as an attribute within a section of machine-readable data written in a mark-up language.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple

definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of

content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of

internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a

markup documents content and location information, thus identifying the location of a portion of content. Furthermore

it defines what areas of a document to publish content because it references the content with its position/location

information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code

shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href,

Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located

externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier

however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout

information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the

binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and

Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code

necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 7, more than one style description is provided.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with

style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding

includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple

definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of

content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of

internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a

markup documents content and location information, thus identifying the location of a portion of content. Furthermore

it defines what areas of a document to publish content because it references the content with its position/location

information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code

shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href,

Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located

externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier

however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout

information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 8, with dependency of claim 1, defining a binding element which defines the identity and location of more than one style description or the identity and location of more than one portion of content.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 9, with dependency of claim 1, defining two or more binding elements which direct to a common portion of content or style description.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 10, with dependency of claim 1, more than one binding element is provided, and the layout document includes a director to some or all of the total number of binding elements.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code

shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 12, with dependency of claim 11, one or more discrete sections of machine readable data, a first section defining the a layout document, a second section defining the at least one binding element and a third section defining content, and a fourth section defining at least one style description.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 13, with dependency of claim 12, the discrete sections form part of a single file of machine readable data or separate files of machine readable data.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

It is noted that any citation [[s]] to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. [[See, MPEP 2123]]

Response to Arguments

7.   Applicant's arguments filed in the appeal brief on 8/1/2007 has been considered but are moot in view of the new ground of rejection with the newly discovered references.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M,F 8:30-6:00 T,TH 8:30-3:00 Wed 8:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571)272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Manglesh M. Patel
Patent Examiner
October 26,2007

STEPHEN HONG
SUPERVISORY PATENT EXAMINER